BOSTON REGIONAL HEARING
(Massachusetts, Vermont, Maine, New Hampshire, and Rhode Island)

Suffolk University Law School
Boston, Massachusetts
March 31, 2014

NATIONAL COMMISSIONER
John Dunne, former Assistant Attorney General for Civil Rights under President George H. Bush

GUEST COMMISSIONERS
Rachael Cobb, Associate Professor and Chair, Suffolk University Government Department
Rahsaan Hall, Deputy Director, Lawyers’ Committee for Civil Rights and Economic Justice
Darnell Williams, President and CEO, Urban League of Eastern Massachusetts
Brenda Wright, Vice President of Legal Strategies, Demos

PANELISTS
Kate Bowden, Staff Attorney, Rhode Island Disability Law Center
Sara Brady, Policy Director, MassVOTE
Cheryl Clyburn Crawford, Executive Director, MassVOTE
Tyler Creighton, Assistant Director, Common Cause Massachusetts
Avi Green, Director of Civic Outreach and Development, Scholars Strategy Network
Sandra Kautz, Founder, Grassroots SW Boston
Elainy Mata, student, Suffolk University
Chris Robarge, Central Massachusetts Field Coordinator, ACLU of Massachusetts
Pam Wilmot, Executive Director, Common Cause Massachusetts
Gavi Wolfe, Legislative Counsel, ACLU of Massachusetts

PUBLIC TESTIMONY
Michael Arnott, Cambridge resident
John Businger, former Chairman, Massachusetts Joint Committee on Elections; former member, Commission on Election Laws
Karen Chen, Chinese Progressive Association
Lisa Danetz, Legal Director, Demos
Mike Ferriter, Election Defense Alliance
Wendy Joseph, Member of Highlands Coalition, Lynn, Massachusetts
Tong Kinwah, Board Member, Chinese Progressive Association
Chris Maynard, student, Suffolk University
Andy Morgan, Public Policy Assistant, Rosie’s Place
Leila Quinn, Generation Citizen
Grace Ross, Worcester resident
Jonathan Simon, Executive Director, Election Defense Alliance
Ryan Thomas, student, Suffolk University
Phi Tran, Asian American Resource Workshop
Henry Yee, Co-Chair, Chinatown Residents Association
WRITTEN TESTIMONY

Aleks Kajstura, Legal Director, Prison Policy Initiative
Ivette Luna, Organizing Director, Neighbor to Neighbor Massachusetts (read by Tony Mack, Mass Voter Table)

John Marion, Common Cause Massachusetts
Michelle K. Tassinari, Director/Legal Counsel, Secretary of the Commonwealth Elections Division

SUPPORTING ORGANIZATIONS (NOT EXHAUSTIVE)

American Civil Liberties Union of Massachusetts
Common Cause Massachusetts
Demos
League of Women Voters — Massachusetts
MassVote
MIRA Coalition

New England Area Conference of the NAACP
Progressive Massachusetts
Springfield Institute
Suffolk University Government Department
Suffolk University Law School
Urban League of Eastern Massachusetts

BOSTON REGIONAL HEARING HIGHLIGHTS

The National Commission on Voting Rights held a regional hearing in Boston on March 31, 2014, at Suffolk University Law School. The event was co-sponsored by the Lawyers’ Committee for Civil Rights Under Law of Washington, DC, the Lawyers’ Committee for Civil Rights and Economic Justice of Boston, and Access Strategies Fund of Cambridge, Massachusetts. Approximately 50 voters, activists, and voting rights advocates heard from witnesses about the voting challenges faced by voters with limited English proficiency in the Boston area as well as election administration issues in Massachusetts and Rhode Island.

Chris Robarge, Field Coordinator for the ACLU Massachusetts, and Tyler Creighton, Assistant Director of Common Cause Massachusetts, speaking on Election Protection efforts in the Boston Area.
I. Language Access

Voters with limited English proficiency face particular challenges in exercising their right to vote. Henry Yee and Karen Chen from the Chinatown Residents Association and Tong Kinwah from the Chinese Progressive Association testified about the efforts of the Chinese community in Boston over the past decade to obtain and institutionalize bilingual ballots to facilitate full participation by voters in their community. While the City of Boston is covered under Section 203 of the Voting Rights Act, such coverage requires the city to provide election services in Spanish only.1 However, in Boston, Chinese Americans are the largest Asian-American ethnic group, totaling nearly 25,000 in the 2010 census.2 Boston has provided Chinese/English ballots in the past, pursuant first to a settlement agreement with the U.S. Department of Justice and more recently because of state legislation.3 The most recent law expired in 2013.4 Yee testified about the benefits of bilingual ballots, expressing frustration with having to galvanize the Chinese community every three years to ensure the bilingual ballot provisions are renewed by the legislature.

Kinwah pointed out that bilingual ballots also protect voters’ privacy, as they eliminate the need for third-party assistance in the voting booth. Moreover, both witnesses highlighted the fact that new Americans can choose to take their citizenship exam in their native language, yet face obstacles exercising their right to vote when the ballot and instructions are not available in the language with which they are most comfortable.

---

3 See, Oct. 18, 2005 Order in U.S. v. City of Boston, Civil Action No. 05-11598-EGY; 2010 Mass. Acts Ch. 201.
Phi Tran of the Asian American Resource Workshop echoed many of Yee’s and Kin-wah’s statements in his testimony on the need for Vietnamese/English bilingual ballots in Boston. Vietnamese Americans are the second-largest Asian-American ethnic group in the city, totaling approximately 11,000. According to Tran, two-thirds of the Vietnamese population in Boston has limited English proficiency, which underscores the need for and utility of bilingual ballots. Tran described bilingual ballots as a method of creating an “even playing field” for Vietnamese voters, and noted his belief, based on his own observations working with the community, that the availability of bilingual ballots contributed to increased Vietnamese voter turnout from 2010 to 2013.

---